

THURSTON COUNTY DISTRICT COURT
LOCAL RULES

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RULE NO. 1
PRO SE LITIGANTS

In accordance with District Court rules, all pro se defendants must respond to the service of a Summons and Complaint by filing a Pro Se Appearance and Answer in the form of the civil rules or by utilizing the uniform form set forth in these rules. The original of the Pro Se Appearance and Answer shall be filed with the court and a copy to be served upon the plaintiff or plaintiff's attorney.
(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 1
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,	)	NO.
)	
V.	)	PRO SE APPEARANCE AND ANSWER
)	
)	
Defendant.)	

1. My name and address is: _____

2. Telephone: Home _____ Work _____
3. I am appearing:
_____ for myself only
_____ for myself and _____
whose address is _____
4. I admit the following paragraph and/or subparagraph numbers of the complaint: _____

5. I deny the following paragraph and/or subparagraph numbers of the complaint: _____

6. The specific reason(s) I denied the paragraph(s) listed in #4 above is/are as follows: _____

I have read the above appearance and answer, the statements made are true to the best of my knowledge.

Date

Signature

RULE NO. 2
CIVIL TRIAL SETTINGS

A. After the defendant's answer has been filed, then either party may request the court set the matter for trial.

B. To request that the court schedule the matter for trial, the party so requesting shall utilize the court Note for Civil Trial Setting form, filing the original with the court and serving a copy upon the opposing party.

(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 2
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

Plaintiff,)
) NO.
V.) NOTE FOR CIVIL TRIAL SETTING
)
Defendant.)

The undersigned attorney certifies that this case is at issue; that defendant's answer has been filed; and that all discovery has been completed.

The nature of action is _____.

It is estimated that this case will take ____ hours/____ days to try.

It is estimated that I will call _____ witnesses at trial.

Dates available to all parties are _____.

The clerk is asked to set this case for trial and notify all parties of said trial date.

Please list the names and addresses of all other attorneys or parties in this case on the reverse side.

I certify that on _____,
I deposited in the mail of the United
States a properly stamped and addressed
envelope directed to the attorney(s) of
record for plaintiff/defendant
containing a copy of this document.

Signed _____

Type Name _____

Address _____

Telephone _____

Attorney for _____

Attorney for _____

PLEASE LIST THE NAMES AND ADDRESSES OF ALL OTHER ATTORNEYS OR PARTIES IN THIS CASE.

Name _____
Attorney for _____
Address _____
Telephone _____

Name _____
Attorney for _____
Address _____
Telephone _____

Name _____
Attorney for _____
Address _____
Telephone _____

Name _____
Attorney for _____
Address _____
Telephone _____

RULE NO. 3
CONTINUANCES (CIVIL)

A. Bench Trials - Stipulations. Once a trial has been set, the court will grant a continuance upon written stipulation of counsel filed within two (2) weeks of the date of issuance of the notice. The stipulation shall set forth a date certain for trial, obtained from the Calendar Coordinator.

B. Bench Trials - Motion. Any other request for continuance shall be presented in person after notice to the opposing party, to a date and time to be scheduled by the Calendar Coordinator. The court shall grant a continuance only upon a showing of good cause.

C. Jury Trials. Once a jury trial date has been set, all requests for a continuance must be in the form of a written motion with notice provided to opposing counsel (or party if a defendant is unrepresented) as set forth in (CRLJ 6(d)). A continuance will be granted upon a showing of good cause.

D. Terms. If a continuance is granted it shall be upon the condition that the moving party pay all appropriate costs, including but not limited to attorney fees, witness fees and other costs directly related to the continuance.

(Effective Date: 01/07/87)

RULE NO. 4
CIVIL DISCOVERY AND ADMISSIBILITY OF DOCUMENTS

(A) Discovery shall be permitted pursuant to CRLJ 26(a) and (b) without

further order of the court.

(B) Concurrently with or any time after the filing of summons and complaint, any party may request the court, ex parte, to issue an order permitting mutual discovery in accordance with CRLJ 26 and CR 26 through 37. The motion and order should be substantially in accordance with the uniform court form in these rules, and the court will grant said order subject to any objection in accordance with this rule.

The party requesting the order shall serve upon the non-moving party and file with the court proof of service of same. Within ten (10) days after service of the order or the expiration of the period for response set forth in CRLJ 12, whichever is later, the non-moving party may object to the order and request a hearing by filing a written opposition, which shall be substantially in accordance with the uniform court form in these rules, serving a copy on the moving party, on the basis that discovery should not be allowed or should be limited. The court shall conduct a hearing under CRLJ 26 and affirm, modify or vacate the original order as it deems proper.

(C) The documents listed below, if relevant, are presumed admissible at the trial, but only if (1) the party offering the document serves on all parties at least 14 days prior to the trial date in accordance with CRLJ 5 a notice, accompanied by a copy of the document and the name, address, and telephone number of its author or maker; and (2) the party offering the document similarly furnishes all other parties with copies of all other related documents from the same author or maker. This rule does not restrict argument or proof related to the weight of the evidence admitted, nor does it restrict the court's authority to determine the weight of the evidence after hearing all of the evidence and the arguments of opposing parties. The documents presumed admissible under this rule are:

(1) A bill, report, chart, or record of a hospital, doctor, dentist, registered nurse, licensed practical nurse, physical therapist, psychologist or other health care provider, on a letterhead or billhead;

(2) A bill for drugs, medical appliances or other related expenses on a letterhead or billhead.

(3) A bill, or an estimate of, property damage on a letterhead or billhead. In the case of an estimate, the party intending to offer the estimate shall forward with the notice to the adverse party a statement indicating whether or not the property was repaired, and if it was, whether the estimated repairs were made in full or in part, attaching a copy to the receipted bill showing the items or repair and the amount paid;

(4) A police, weather, wage loss, or traffic signal report, or standard United States government life expectancy table to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;

(5) A photograph, x-ray, drawing, map, blueprint or similar documentary evidence, to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;

(6) The written statement of any other witness, including the written report of an expert witness, and including a statement of opinion which the witness would be allowed to express if testifying in person, if it is made by affidavit or by declaration under penalty of perjury.

(7) A document not specifically covered by any of the foregoing provisions but having equivalent circumstantial guarantees of trustworthiness, the admission of which would serve the interests of justice.

Any other party may subpoena the author or maker of a document, admissible under this rule, at that party's expense, and examine the author or maker as if under cross examination.

(Effective Date: 01/07/87; amended 09/01/96)

UNIFORM DISTRICT COURT FORM NO. 4A
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)
)

Plaintiff,) NO.
)
V.) MOTION AND ORDER FOR PERMISSION
) TO CONDUCT DISCOVERY
)
Defendant.)

Plaintiff/defendant hereby moves that the parties in this matter be allowed to conduct discovery in accordance with Superior Court Civil Rules 26 through 37.

DATED this _____ day of _____, _____.

Attorney for Plaintiff/Defendant

O R D E R

Pursuant to motion of plaintiff/defendant for this allowance of mutual discovery in this action, accordingly, it is hereby

ORDERED that the parties may conduct reasonable discovery in accord with Rules 26 through 37 of the Superior Court Civil Rules.

DONE IN OPEN COURT this _____ day of _____, _____.

J U D G E

Presented by:

Attorney for Plaintiff/Defendant

NOTICE: Upon receipt of this order, the non-moving party may object to the grant of this motion by filing a written objection with the court within ten (10) days and serving a copy on the opposing party.

CERTIFICATE OF MAILING

Mailed to the below named person at the address indicated on the _____ day of _____, _____: _____

UNIFORM DISTRICT COURT FORM NO. 4B
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

Plaintiff,)
)
V.) NO.
)
) OBJECTION TO ORDER GRANTING
) DISCOVERY
)
Defendant.)

Comes now _____, the plaintiff/defendant herein and hereby objects to the entry of the order granting discovery dated the _____, _____, and requests that the court schedule a hearing on this matter.

The plaintiff/defendant hereby objects to the granting of the order of discovery because: _____

DATED this _____ day of _____, _____.

Attorney for Plaintiff/Defendant

Original filed with court, copy
must be served on moving party or
moving party's attorney.

RULE NO. 5
JUDGMENTS FOLLOWING TRIALS

All judgments entered following a bench trial or jury trial should be
in writing and substantially in the form of the uniform Judgment Following
Trial form contained in these rules.
(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 5
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

Plaintiff,)
) NO.
V.) JUDGMENT FOLLOWING TRIAL
)
Defendant.)

The above-referenced matter having come on regularly for trial before the
above-entitled court on the date of the entry of this judgment, the court
having determined that it had jurisdiction over the subject matter and
persons herein, having heard the testimony and reviewed the exhibits
introduced and heretofore made oral findings and conclusions, now,
therefore, it is hereby

ORDERED, ADJUDGED AND DECREED that plaintiff(s) is/are entitled to judgment
against the defendant(s), above named, as follows: principal in the amount
of \$_____, interest in the amount of \$_____, court costs
in the amount of \$_____, and a reasonable/statutory attorney's fee
in the amount of \$_____, for a total judgment in the amount of
\$_____.

DONE IN OPEN COURT this _____ day of _____, _____.

J U D G E

Presented by:

Attorney for _____

RULE NO. 6
DEFAULT JUDGMENTS

(A) No appearance by defendant. All necessary papers required for entry of a default judgment shall be filed at the same time as the motion for default judgment, unless extended by court order.

(B) Default judgments shall be subject to the following:

(1) No default judgment shall be granted except upon motion by plaintiff's counsel of record, or if none, by motion of plaintiff, pursuant to CRLJ 55(b).

(2) No default judgment shall be granted except upon proof satisfactory to the court. The court shall require an affidavit setting forth facts sufficient for default judgment and at least the following to be on file with the motion for default judgment, unless otherwise excused by the court for good cause.

(a) on assigned causes of action, the assignment instrument,

(b) on causes of action based on a negotiable instrument, the original negotiable instrument,

(c) on causes of action based on a retail sales contract, chattel mortgage or conditional sales contract, the original contract (or a copy if the original has been filed with a government agency). Where applicable, an automobile title or bill of sale must be filed,

(d) on causes of action based on open account where the complaint is no specific, a written statement of account setting forth all charges and credits and the dates thereof, the nature of merchandise or services furnished, and a statement of any interest or surcharges which are included,

(e) on causes of action for rent based on an oral lease, a statement of account similar to that required in actions on open account, if any claims is made for damages or repairs to premises, such claim must be itemized separately,

(f) on causes of action for rent based on a written lease, a copy of the lease and a statement of account,

(g) on causes of action based on all other contracts, oral testimony to prove performance may be required, together with filing of a copy of the contract, if written, and filing or proving the items of account and any credits,

(h) on causes of action for tort, the proof required shall be the same as required above for proving contract balances except that the following additional proof of the amount of damage shall be required: copies of the original documents as called for in paragraphs (b) and (c) above may be substituted for the original documents with express approval of the court and upon certification by the plaintiff that the copy is a true and correct copy of the original document.

(3) No judgment for accrued interest shall be allowed unless there is on file proof of the factors necessary for computation of interest, including applicable dates, rate of interest, amounts subject to interest, and a computation of the total interest claimed due.

(Effective Date: 01/07/87)

RULE NO. 7
REASONABLE ATTORNEY'S FEES

A. The court shall grant reasonable attorney's fees when permitted by statute or on the basis of a written instrument. A party seeking reasonable attorney's fees shall file with the court the written instrument or, in the

C. Default judgments - reasonable attorney's fees awarded on a default judgment, where authorized by law or contract, shall be permitted under the following schedule:

0.00	\$ 1,000	\$250
\$1,000.01 –	\$ 1,500	\$275
\$1,500.01 –	\$ 2,000	\$300
\$2,000.01 –	\$ 2,500	\$325
\$2,500.01 –	\$ 3,000	\$350
\$3,000.01 –	\$ 4,000	\$400
\$4,000.01 –	\$ 5,000	\$500
\$5,000.01 –	\$ 6,000	\$600
\$6,000.01 –	\$ 7,500	\$700
\$7,500.01 –	\$10,000	\$850

UNIFORM DISTRICT COURT FORM NO. 7
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)
)
 Plaintiff,) NO.
)
 V.) OFFER OF JUDGMENT
)
)
 Defendant.)

If you do not accept this offer within that time period, and the offeror subsequently obtains a judgment which is at least as favorable to the offeror, the amount of the judgment may be increased by an award of additional costs and/or reasonable attorney's fees as authorized by RCW 4.84.250 through RCW 4.84.300, Justice Court Civil Rule 68.

Address:

RULE NO. 8
TRANSFER TO SMALL CLAIMS DEPARTMENT

A. Request to Transfer. A defendant in a proceeding in which the claim is within the jurisdictional amount for the Small Claims Department may transfer the action to the Small Claims Department by filing a Request to Transfer. The request may be filed in a form substantially similar to the form provided in these rules. In the event such a Request is filed, the court shall transfer the action to the Small Claims Department.

B. Upon filing a Request to transfer in accordance with Section A of this rule, the defendant shall mail a copy of the Request to the plaintiff or his attorney by first class mail. Within ten (10) days after mailing of the Request, the plaintiff shall file a Response to Request to Transfer. The Response may be filed in a form substantially similar to the form provided in these rules.

C. If an action is transferred in accordance with the provisions of this rule, and if the plaintiff was an assignee of the claim at the time the action was commenced, the plaintiff shall not be prohibited from pursuing its claim in the Small Claims Department.

D. If an action is transferred in accordance with this rule, and if at the time the Request for Transfer is filed either party is represented by an attorney of record, participation of counsel in the action upon transfer shall not be prohibited if the consent of the judge of the District Court is obtained. Such consent shall be freely given when justice so requires.

E. In the event a case is improperly removed to the Small Claims Department, the Small Claims Department shall transfer the case back to the District Court.

(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 8A
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,	)	NO.
)	
V.	)	REQUEST FOR TRANSFER TO
	)	SMALL CLAIMS DEPARTMENT
)	
Defendant.)	

Comes now the defendant in the above-captioned proceeding and pursuant to Local Rule _____ hereby requests that this action be transferred to the Small Claims Department of the Thurston County District Court.

1. The defendant certifies as follows:

(a) This action is for the recovery of money only; and

(b) The amount claimed by the plaintiff does not exceed the jurisdictional amount for the Small Claims Department.

2. Plaintiff is/is not (strike one) represented by an attorney.

3. Defendant is/is not (strike one) represented by an attorney.

4. I hereby request/do not request (strike one) my attorney represent me in the Small Claims Department.

DATED: _____

Signature

Defendant: _____

CERTIFICATE OF MAILING

Mailed to the below-named person at the address indicated on the _____
day of _____, _____: _____

UNIFORM DISTRICT COURT FORM NO. 8B
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,	)	NO.
)	
V.	)	RESPONSE TO REQUEST TO
	)	TRANSFER
)	
Defendant.)	

Comes now the plaintiff and pursuant to Local Rule _____ hereby files this Response to Request to Transfer of this action to the Small Claims Department.

1. The defendant filed a Request to Transfer this action to the Small Claims Department of the Thurston County District Court on

_____, _____.

2. This is/is not (strike one) an action for the recovery of money only.

3. The amount claimed by the plaintiff does/does not (strike one) exceed the jurisdictional amount for the Small Claims Department.

4. The plaintiff is/is not (strike one) represented by an attorney.

5. The defendant is/is not (strike one) represented by an attorney.

6. I hereby request/do not request (strike one) my attorney to continue to represent me in the Small Claims Department.

DATED: _____, _____.

Signature

Plaintiff: _____

RULE NO. 9
REMOVAL FROM SMALL CLAIMS DEPARTMENT

A. Request for Removal. A party in an action which has been commenced in the Small Claims Department may remove the action to the District Court by filing a Request for Removal. The request may be filed in a form substantially similar to the form provided in these rules. In the event such a Request is filed, the court may remove the action from the Small Claims Department to the District Court.

B. Upon filing a request for removal in accordance with Section A of this rule, a copy of the Request shall be mailed by first class mail to the opposing party or his attorney by first class mail. Within five (5) days of receipt of the Request for Removal. The Response may be filed in a form substantially similar to the form provided in these rules. If a Response is

filed, a copy should be mailed by first class mail to the party who filed the Request for Removal.

C. If a defendant in an action which has been commenced in the Small Claims Department alleges a counterclaim in excess of the jurisdictional amount for the Small Claims Department, the court shall remove the action to District Court.

D. In the event the action is removed to District Court from the Small Claims Department in accordance with Section A or Section B of this rule, the first party filing the Request for Removal shall pay the District Court filing fee.

(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 9A
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,	)	NO.
)	
V.	)	REQUEST FOR REMOVAL TO
	)	DISTRICT COURT
)	
Defendant.)	

Comes now the plaintiff/defendant (strike one) in the above captioned proceeding and, pursuant to Local Rule _____, hereby requests that this action be removed from the Small Claims Department to District Court. I certify that I have mailed a copy of this form to the plaintiff/defendant (strike one) by first class mail, addressed as follows:

DATED: _____

(Signature)

(Print Name)

UNIFORM DISTRICT COURT FORM NO. 9B
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,	)	NO.
)	
V.	)	RESPONSE TO REQUEST
	)	FOR REMOVAL
)	
Defendant.)	

Comes now the plaintiff/defendant (strike one) and, pursuant to Local Rule _____, hereby files his Response to Request for Removal of this action from the Small Claims Department to the District Court.

1. The plaintiff/defendant (strike one) filed a Request for Removal on _____, _____, which I received on _____, _____.

2. I oppose this request because: _____

DATED: _____

Signature

Print Name

UNIFORM DISTRICT COURT FORM NO. 9C
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

Plaintiff,)
) NO.
V.)
) ORDER REMOVING ACTION
) FROM SMALL CLAIMS COURT
Defendant.)

This court having reviewed a motion for removal of an action from Small Claims Court to the jurisdiction of the District Court pursuant to CRLJ _____ and _____, and the court having determined that the defendant has a right to remove said cause upon the filing of fees thereof, now, therefore, it is ORDERED, ADJUDGED AND DECREED that the small claims action filed under Number _____ is hereby removed from the jurisdiction of the Small Claims Court to the jurisdiction of the District Court. The docket number _____ shall remain the same _____ be changed to _____. All further pleadings should reflect the corrected docket number. The plaintiff is directed to comply with all rules of pleading and practice applicable to District Court.
DATED this _____ day of _____, _____.

J U D G E

Presented by:

RULE NO. 10
TIME LINES FOR BRIEFS

A. Motions. A brief or memorandum of authorities in support of motions, if prepared, shall be served and filed with the motion. Responsive briefs are to be served and filed no later than three (3) court days prior to the hearing date for the motion.

B. Trial Briefs. Trial briefs, if prepared, are to be served and filed no later than two (2) court days prior to the trial date.

C. Judge's Copy. In the event any brief or memorandum of authorities is filed, an extra copy of the brief or memorandum of authorities is to be filed as a working copy for the judge.

(Effective Date: 01/07/87)

RULE NO. 11
SUPPLEMENTAL PROCEEDINGS

A. A judgment creditor may request, in accordance with RCW 6.32, a supplemental proceeding or interrogatories to be served on a judgment debtor. The return date shall be scheduled for the civil motion calendar.

B. If a judgment debtor fails to appear at a supplemental proceeding when scheduled, and the judgment creditor provides the court with proof of service, the judgment creditor may request an order for civil bench warrant by utilizing the Uniform Court Form Affidavit, Order and Bench Warrant and by completing the pre-warrant vital statistic information form. The court will issue a warrant calling for cash bail for the amount of the judgment, provided, however, if the amount of the outstanding judgment is greater than \$250, the cash bail shall be \$250. For a bench warrant issued by the court, the court shall require a \$50 warrant fee, deducted from the cash bail. If the judgment creditor continues a supplemental proceeding to a subsequent date, at which the judgment debtor does not appear, a bench warrant will be issued only upon proof that the judgment debtor had actual knowledge of the subsequent hearing.

(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 11A
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

Plaintiff,) NO.
V.) AFFIDAVIT AND ORDER FOR
) WARRANT OF CONTEMPT OF
) COURT AND BENCH WARRANT
Defendant.)

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

_____, being first duly sworn upon oath, deposes and says: That he/she is one of the attorneys for the plaintiff(s) herein. That on the _____ day of _____, _____ pursuant to an Order for Supplemental Proceedings entered in the above-entitled court, defendant(s) _____ was/were to appear before the judge at 9 a.m., then and there to be examined pursuant to the aforementioned order.

That defendant(s), _____,
failed to appear, and the undersigned hereby presents to the court the below
Order for Warrant for Contempt of Court, from which the Warrant for
Contempt of Court is requested to be issued by the court.

SUBSCRIBED AND SWORN to before me this day of ,

NOTARY PUBLIC in and for the State
of Washington, residing at

O R D E R

In the above-entitled cause it appearing that an affidavit has been

NOTE TO COUNSEL: The following information must be provided to the Thurston County Sheriff's Civil Division before that agency will attempt service of court bench warrants for matters involving civil contempt such as failure

to appear for supplemental proceedings. ALL OF THE INFORMATION REQUESTED
RELATES TO THE INDIVIDUAL AGAINST WHOM THE WARRANT IS TO BE SERVICED.

Last Name	First	Middle
-----------	-------	--------

Residence Address

Miscellaneous (e.g., known alias, times best to effect services, etc.)

Sex	Race	Date of Birth	Height	Weight	Eyes Color	Hair Color
-----	------	---------------	--------	--------	------------	------------

Social Security Number

*
* COUNSEL NOTE: IF YOU WITHDRAW YOUR REQUEST FOR A BENCH WARRANT *
* YOU MUST ADVISE BOTH THE DISTRICT COURT AND THE *
* AND THE SHERIFF'S OFFICE. *
*

RULE NO. 12
GARNISHMENTS

Following the answer of a Writ of Garnishment by a garnishee, the
judgment creditor may apply for an order to pay funds but may not be
awarded an attorney fee greater than the statutory fee.
(Effective Date: 01/07/87)

RULE NO. 13
AFFIDAVITS AND CERTIFIED STATEMENTS

Whenever proof by affidavit or certified statement is required or
allowed by statute or court rule, such affidavit or certified statement
shall be made a personal knowledge, shall set forth such facts as would be
admissible in evidence, and shall show affirmatively that the affiant is
competent to testify to the matters stated therein.
(Effective Date: 01/07/87)

RULE NO. 14
PRETRIAL MOTIONS

A. Notice of all pretrial motions shall be in writing and served upon the opposing counsel and filed with the court within fourteen (14) days after the pretrial hearing, or within thirty (30) days prior to the date scheduled for trial if trial has been scheduled, unless good cause is shown.

B. A hearing for pretrial motions shall be scheduled by the Calendar Coordinator no later than seven (7) days prior to the date set for trial.

C. All pretrial motions and supporting briefs shall be filed within the five (5) days following the filing of notice for pretrial motion(s). Responsive briefs shall be filed within ten (10) days after service of the motion and supporting briefs. Failure to comply with the time frames set forth herein may be grounds for sanctions.

D. An original and copy of each pleading and supporting document shall be filed with the court.

(Effective Date: 01/07/87)

RULE NO. 15
PRETRIAL HEARINGS (CRIMINAL)

A. Within four weeks following the sooner of arraignment or appearance by counsel, a pretrial hearing shall be scheduled by the Calendar Coordinator, unless the defendant has previously waived a jury trial, or as otherwise directed by the court.

B. The office of the prosecutor shall provide discovery of all relevant police reports, witness statements, administrative agency reports, tests, and other documentary evidence in the possession of the Office of the Prosecutor, as soon as practical after arraignment or appearance by counsel, but no later than one week before the date scheduled for pretrial hearing. This rule applies to pro se defendants as well as those represented by counsel.

C. Failure to provide timely discovery shall be grounds for continuance until discovery is provided.

D. Failure to provide timely discovery within the limits of CRRLJ 4.7(a)(2) shall be grounds for dismissal of all charges.

E. Failure of counsel and defendant to appear for the pretrial hearing without good cause shall constitute a waiver of discovery required by these rules and grounds for continuance of any scheduled hearing or trial date. Terms may be imposed for failure to appear at a pretrial hearing. Defendant's failure to appear at a pretrial hearing may be grounds for the issuance of a bench warrant.

(Effective Date: 01/07/87)

RULE NO. 16
CRIMINAL JURY TRIAL

A. VOIR DIRE, Jury Instructions: The court may request that each party submit proposed general voir dire questions and jury instructions no later than seven (7) days prior to the date set for jury trial. Jury selection shall be by the struck jury method, unless otherwise ordered by the court. One original set of jury instructions without citation to Washington Pattern Jury Instructions or case law shall be submitted to the court along with one set with citations no later than the beginning of the trial. A copy of the set with citations shall be served upon opposing counsel at the

same time jury instructions are filed with the court.

B. WITNESS, Present in Court: All witnesses to be called for a trial shall be excluded from the courtroom until they are called upon to testify, unless leave of the court is given for the person to remain. A person who has testified as a witness shall not remain in the courtroom following his or her testimony where there is a substantial likelihood that the person will be called again to testify in the same cause. Pursuant to ER 615, this rule does not authorize exclusion of (1) a party who is a natural person, or (2) an officer or employee of a party which is not a natural person designated as its representative by its attorney.

C. WAIVER of Jury Trial: A defendant may expressly waive his or her right to a jury trial at any time prior to a jury being impaneled. If the waiver occurs after 9:00 a.m., two (2) court days prior to the date set for trial, the court may order costs to be imposed. Once such a waiver has been made, a defendant has until the pretrial conference to change his or her mind and request a jury trial. However, if no pretrial is held in the case, a defendant has until thirty (30) days before the trial date to request the withdrawal of his or her waiver and the scheduling of a jury trial. Any motion for the withdrawal of a waiver of jury trial made after the appropriate time limit set by this rule shall be in writing and the court shall have discretion to grant or deny the motion.

D. CONFIRMATION of Jury Trial: The defendant must contact the Calendar Coordinator no later than the date and time set by notice, to confirm the jury trial. Failure to so notify the court will result in the jury being stricken and will be considered good cause for continuance. The court may assess terms if deemed appropriate.

E. WITNESS, Subpoenas, Costs: Where prospective witnesses who will be compelled to appear by subpoena outside the boundaries of Thurston County, leave of the court to issue a subpoena shall be obtained; request for leave must be obtained from the court no later than ten (10) days prior to the date set for trial. If leave is not obtained or the request for leave is not timely made, then the party issuing the subpoena shall be responsible for all costs associated with the appearance of the person subject to the subpoena unless good cause is shown.

F. WITNESS LIST: Each party shall provide to the other party a list of prospective witnesses to be called at trial no later than two (2) weeks prior to the scheduled date of trial. The list shall include the name, address and telephone number of each prospective witness, excluding the defendant.

G. SUBPOENA, Issuance: Either party may issue subpoenas to compel attendance of a witness at trial in the same manner as set forth in CRRLJ 4.8.

(Effective Date: 01/07/87; Amended 09/01/91)

RULE NO. 17
PETITIONS FOR DEFERRED PROSECUTION

A. In accordance with chapter 10.05 RCW, a defendant may petition the court for a deferred prosecution on misdemeanor and gross misdemeanors. Unless otherwise approved by the court, the defendant shall notify the court of his/her desire to petition for deferred prosecution at the time of the scheduled pretrial. At such time, the defendant shall schedule a date at which time said petition will be reviewed.

At the hearing, the defendant shall present the court and the prosecuting attorney with a petition and an order for deferred prosecution and a confession and waiver of rights.

(Effective Date: 01/07/87; Amended 09/01/91)

RULE NO. 18
CONTINUANCE OF COURT DATES

A. The court on its own motion or motion of the defendant or the prosecuting attorney may continue a scheduled court appearance in the interest of justice or as authorized in CRRLJ 3.3(h).

B. Upon agreement by both parties, the Calendar Coordinator is authorized to continue a hearing without leave of court upon request of either party within two (2) weeks of the date of issuance of the notice for the hearing.

C. Any other request for continuance shall require appearance in court by the party or attorney requesting the continuance, at a date and time to be scheduled by the Calendar Coordinator. Unless both the parties stipulate to the continuance request, the objecting party must be given notice of the hearing by the requesting party.

D. The defendant must file a waiver of speedy trial if the continuance has the possibility of impairing the court's ability to schedule a trial within 60/90 days.

E. In computing any period of time herein, the court adopts CRLJ 6(a), which by reference is made a part hereof.

(Effective Date: 01/07/87; Amended 09/01/91)

RULE NO. 19
WITHDRAWAL OF COUNSEL

Counsel for the defendant may withdraw from the action as authorized in CRRLJ 3.1(e). Written notice of intent to withdraw must be served on all parties to the action, including the court. If the court determine; cause exists for withdrawal of the attorney, withdrawal shall be ordered by the court.

(Effective Date: 01/07/87; Amended 09/01/91)

RULE NO. 20
REVIEW OF DEFENDANTS IN CUSTODY

Defendants incarcerated may be reviewed upon motion of either party. The motion shall be in writing, unless otherwise approved by the court, stating the defendant's name, court docket number and purpose for the review. The time for review shall be coordinated with the Calendar Coordinator. The moving party shall ensure that the other party has been served with notice of the review at least one day prior to the review date.

(Effective Date: 01/07/87; Amended 09/01/91)

RULE NO. 21
PRESENTENCE REPORTS

Whenever a probation evaluation is ordered by the court prior to sentencing, the probation department's presentence report shall be provided to the court, to the defendant's attorney and to the state or city prosecutor no less than seven (7) days in advance of the sentencing date, unless good cause is shown.

(Effective Date: 01/07/87)

LCRLJ 7
PRO SE APPEARANCE AND ANSWER

In accordance with District Court rules, all pro se defendants must respond to the service of a Summons and Complaint by filing a Pro Se Appearance and Answer in the form of the civil rules or by utilizing the form set forth in these rules. The original of the Pro Se Appearance and Answer shall be filed with the court and a copy served upon the plaintiff or plaintiff's attorney.

[Effective Date: 01/07/87]

LCRLJ 26

26 (a) Civil Discovery

(1) Discovery shall be permitted pursuant to CRLJ 26(a) - (c) without further order of the court. All discovery pursuant to CRLJ 26 (a) - (c) shall be completed by the date of the settlement conference if a jury has been demanded, or by the date of the pre-trial hearing, if any, for a non-jury trial.

(2) Additional discovery may only be conducted by order of the court after motion and hearing. The settlement conference judge has authority to authorize additional discovery and set timelines in accordance with this rule. No orders for unlimited discovery pursuant to Superior Court Civil Rules 26 - 37 shall be permitted.

(3) Either party may request a hearing for the purpose of setting a discovery schedule.

(4) All discovery must be complete no later than thirty (30) days prior to trial.

Adopted June 26, 2002 [Effective September 1, 2002]

26 (b) Admissibility of Documents

The documents listed below, if relevant, are presumed admissible at the trial, but only if the party offering the document serves on all parties at least 30 days prior to the trial date a notice,

accompanied by a copy of the document and the name, address and telephone number of its author or maker. This rule does not restrict argument or proof related to the weight of the evidence admitted, nor does it restrict the court's authority to determine the weight of the evidence after hearing all of the evidence and the arguments of opposing parties.

The documents presumed admissible under this rule are:

- (1) A bill, report, chart, or record of a hospital, doctor, dentist, registered nurse, licensed practical nurse, physical therapist, psychologist or other health care provider, on a letterhead or bill head;
- (2) A bill for drugs, medical appliances, or other related expenses on a letterhead or billhead.
- (3) A bill, or an estimate of, property damage on a letterhead or billhead. In the case of an estimate, the party intending to offer the estimate shall forward with the notice to the adverse party a statement indicating whether or not the property was repaired, and if it was, whether the estimated repairs were made in full or in part, attaching a copy to the receipted bill showing the items or repair and the amount paid;
- (4) A police, weather, wage loss, or traffic signal report, or standard United States government table to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;
- (5) A photograph, x-ray, drawing, map, blueprint or similar documentary evidence, to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;
- (6) The written statement of any other witness, including the written report of an expert witness, and including a statement of opinion which the witness would be allowed to express if testifying in person, if it is made by affidavit or by declaration under penalty of perjury.
- (7) A document not specifically covered by any of the foregoing provisions but having equivalent circumstantial guarantees of trustworthiness, the admission of which would serve the interests of justice.

Any other party may subpoena the author or maker of a document, admissible under this rule, at the party's expense, and examine the author or maker as if under cross examination.

[Effective Date: 01/07/87; Amended 09/01/98]

LCRLJ 40
CIVIL TRIAL SETTINGS, PRE-TRIAL/SETTLEMENT CONFERENCES,
CONFIRMATION HEARINGS

(a) Civil Trial Settings

(1) After the defendant's answer has been filed, any party may request the court set the matter for trial.

(2) To request that the court schedule the matter for trial, the party so requesting may utilize the Note for Civil Trial Setting form, filing the original with the court and serving a copy upon all other parties.

(3) Demand for a jury trial must be made no later than five (5) days after the Note for Civil Trial Setting is served. The party filing the demand shall at the time of filing pay the required jury fee and indicate by affidavit that the jury demand was served on all parties.

(4) Upon receipt of jury demand, the plaintiff shall, within fourteen (14) days, initiate a telephone conference call with the district court civil clerk and the defendant to set the trial date and settlement conference date.

(5) Whenever any case set for trial is settled (other than at settlement conference), or will not be tried for any reason, notice of that fact shall be given immediately to the court. If notification is not given by 48 hours prior to the time of the trial, the court in its discretion may order any party to pay terms.

(b) Continuances

(1) Stipulations. Once a trial has been scheduled, the court will grant a continuance upon written stipulation of the parties filed within two (2) weeks of the date of issuance of the notice. The stipulation shall set forth a date certain for trial, obtained from the Calendar Coordinator.

(2) Motions. Any other request for continuance shall be presented by motion after notice to all parties at a date and time to be scheduled by the Calendar Coordinator. The court shall grant a continuance only upon a showing of good cause.

(3) Terms. If a continuance is granted it may be upon the condition that the moving party pay all appropriate costs, including but not limited to attorney fees, witness fees and other costs directly related to the continuance.

(c) Pre-Trial / Settlement Conferences

Whenever a demand for jury trial has been filed in a civil case, the case will be set for a Settlement Conference / Pre-Trial, approximately ninety (90) days prior to the trial date. All parties, their attorneys, and a person with authority to consent to settlement for each party shall be present at this hearing. A settlement conference shall be conducted first. If settlement is not reached, the case will proceed immediately to Pre-trial.

All discovery pursuant to CRLJ 26 (a) - (c) shall be completed prior to this conference.

At Pre-trial, the judge will enter a Pre-trial Order stating the nature of the claim and defense, witnesses and exhibits anticipated by each party, any additional discovery authorized by the court and timelines for its completion and

any pre-trial motions to be set.

(d) Confirmation Hearing

A confirmation hearing shall be set within one week prior to trial. All trial briefs, proposed jury instructions and any remaining pre-trial motions or motions in limine shall be filed with the court seven (7) days prior to the confirmation hearing.

Adopted June 26, 2002 [Effective September 1, 2002]

LCRLJ 54

54 (a) Written Judgments

All written judgments entered following a bench trial or jury trial should be substantially in the form of the uniform Judgment Following Trial form contained in these rules.
[Effective Date: 01/07/87; Amended 09/01/98]

54 (b) Reasonable Attorney Fees

A. The court shall grant reasonable attorney's fees when permitted by statute or on the basis of a written instrument. A party seeking reasonable attorney's fees shall file with the court the written instrument or, in the event of a dishonored check, proof of the service of the statutory form of Notice of Dishonor in accordance with RCW 62A.3-104. Reasonable attorney's fees following the granting of a judgment at trial or motion shall be set by the court, in its discretion, and the court may require the filing of an affidavit in support of the request.

B. Offer of judgment - when a party is seeking reasonable attorney's fees following the entry of a judgment under the provisions of RCW 4.84.250 through RCW 4.84.300, proof of compliance with the service procedures must be shown to the court following the entry of the judgment by utilization of the form Offer of Judgment in these rules.

C. Default judgments - reasonable attorney's fees awarded on a default judgment, where authorized by law or contract, shall be permitted under the following schedule; subject to modification based upon the circumstances of a particular case.

0.00 -	\$ 1,000	\$350
\$ 1,000.01 -	\$ 1,500	\$375
\$ 1,500.01 -	\$ 2,000	\$400
\$ 2,000.01 -	\$ 2,500	\$425
\$ 2,500.01 -	\$ 3,000	\$450
\$ 3,000.01 -	\$ 4,000	\$500
\$ 4,000.01 -	\$ 5,000	\$600
\$ 5,000.01 -	\$ 6,000	\$700
\$ 6,000.01 -	\$ 7,500	\$800
\$ 7,500.01 -	\$10,000	\$950

[Effective Date: 01/07/87; Amended 09/01/98]

LCRLJ 55
DEFAULT JUDGMENTS

(A) No appearance by defendant. All necessary papers required for entry of a default judgment shall be filed at the same time as the motion for default judgment, unless extended by court order.

(B) Default judgments shall be subject to the following:

(1) No default judgment shall be granted except upon motion by plaintiff's counsel of record, or if none, by motion of plaintiff, pursuant to CRLJ 55(b).

(2) No default judgment shall be granted except upon proof satisfactory to the court. The court shall require an affidavit setting forth facts sufficient for default judgment and at least the following to be on file with the motion for default judgment, unless otherwise excused by the court for good cause.

(a) on assigned causes of action, the assignment instrument;

(b) on causes of action based on a negotiable instrument, the original negotiable instrument,

(c) on causes of action based on a retail sales contract, chattel mortgage or conditional sales contract, the original contract (or a copy if the original has been filed with a government agency). Where applicable, an automobile title or bill of sale must be filed;

(d) on causes of action based on open account where the complaint is not specific, a written statement of account setting forth all charges and credits and the dates thereof, the nature of merchandise or services furnished, and a statement of any interest or surcharges which are included,

(e) on causes of action for rent based on an oral lease, a statement of account similar to that required in actions on open account. If any claims are made for damages or repairs to premises, such claims must be itemized separately;

(f) on causes of action for rent based on a written lease, a copy of the lease and a statement of accounting;

(g) on causes of action based on all other contracts, oral testimony to prove performance may be required, together with filing of a copy of the contract, if written, and filing or proving the items of account and any credits;

(h) on causes of action for tort, the proof required shall be the same as required above for proving contract balances except that the following additional proof of the amount of damage shall be required: a written statement setting forth specific

items of claimed damage.

(3) Copies of the original documents as called for in paragraphs 2(b) and 2(c) above may be substituted for the original documents with express approval of the court and upon certification by the plaintiff that the copy is a true and correct copy of the original document.

(4) No judgment for accrued interest shall be allowed unless there is on file proof of the factors necessary for computation of interest, including applicable dates, rate of interest, amounts subject to interest, and a computation of the total interest claimed due.

[Effective Date: 01/07/87; Amended 09/01/98]

LCRLJ 65

65 (a) Garnishments

Whenever the Federal Government is named as a garnishee defendant, the clerk of the court shall, upon submittal of a notice in the appropriate form by the requesting party, issue a notice which directs the garnishee defendant to disburse any non-exempt earnings to the court.

Funds received by the clerk from any garnishee defendant may be deposited into the registry of the court, or in the case of negotiable instruments, may be retained in the court file. Upon presentation of an order directing the clerk to disburse the funds received, the clerk shall pay or endorse the funds over the party entitled to same. Except for good cause shown, the funds shall not be paid or endorsed to the judgment creditor prior to the expiration of any minimum statutory period allowed to the judgment debtor for filing an exemption claim.

The party requesting the writ of garnishment shall supply a copy of the notice to the garnishee defendant with a pre-addressed envelope to the Court which has the cause number displayed thereon and to the garnished party in the same manner as is permitted for service of the writ of garnishment. The notice to the Federal Government employer shall be in substantially the following form.

[Effective Date: 09/01/98]

65 (b) Supplemental Proceedings

A. A judgment creditor may request, in accordance with RCW 6.32, a supplemental proceeding or interrogatories to be served on a judgment debtor. The return date shall be scheduled for the civil motion calendar.

B. If a judgment debtor fails to appear at a supplemental proceeding when scheduled, and the judgment creditor provides the court with proof of service, the judgment creditor may request an order for civil bench warrant by utilizing the Uniform Court Form Affidavit,

Order and Bench Warrant and by completing the pre-warrant vital statistics information form. The court will issue a warrant calling for cash bail in the amount of the judgment, provided, however, if the amount of the outstanding judgment is greater than \$250, the cash bail shall be \$250. For a bench warrant issued by the court, the court shall require a \$100.00 warrant fee, deducted from the cash bail. If the judgment creditor continues a supplemental proceeding to a subsequent date, at which the judgment debtor does not appear, a bench warrant will be issued only upon proof that the judgment debtor has actual knowledge of the subsequent hearing.

[Effective Date: 01/07/87; Amended 09/01/98]

LCrRLJ 3.2
BAIL; REVIEW OF DEFENDANTS IN CUSTODY

Any person arrested for the following offenses shall be held in jail without bail pending their first appearance:

1. Any offense classified under Section 10.99 of the Revised Code of Washington as Domestic Violence.
2. A violation of RCW 46.61.502 (Driving Under the Influence), RCW 46.61.503 (Driver Under 21 Consuming Alcohol), or RCW 46.61.504 (Physical Control of Vehicle Under the Influence), when the person has previously been convicted of or had a deferred prosecution granted for two or more of any of these offenses.

Defendants incarcerated, pretrial or post-trial, may be reviewed upon request of either party or at the Court's discretion. The request shall be in writing, on a form provided by the court, stating the defendant's name, court docket number and purpose for the review. The time for review shall be coordinated with the in-custody clerk. The requesting party shall ensure that the other party has been served with notice of the review at least one day prior to the review date.

Attorneys representing incarcerated defendants may request review by phone, by providing the in-custody clerk with the information indicated above.

[Adopted January 7, 1989; amended effective September 1, 1991; August 6, 2001; May 1, 2003.]

Note: Definition of domestic violence per RCW 10.99.020:

"(3) 'Domestic violence' includes but is not limited to any of the following crimes when committed by one family or household member against another:

- "(a) Assault in the first degree (RCW 9A.36.011);
- "(b) Assault in the second degree (RCW 9A.36.021);
- "(c) Assault in the third degree (RCW 9A.36.031);

- "(d) Assault in the fourth degree (RCW 9A.36.041);
- "(e) Drive-by shooting (RCW 9A.36.045);
- "(f) Reckless endangerment (RCW 9A.36.050);
- "(g) Coercion (RCW 9A.36.070);
- "(h) Burglary in the first degree (RCW 9A.52.020);
- "(i) Burglary in the second degree (RCW 9A.52.030);
- "(j) Criminal trespass in the first degree (RCW 9A.52.070);
- "(k) Criminal trespass in the second degree (RCW 9A.52.080);
- "(l) Malicious mischief in the first degree (RCW 9A.48.070);
- "(m) Malicious mischief in the second degree (RCW 9A.48.080);
- "(n) Malicious mischief in the third degree (RCW 9A.48.090);
- "(o) Kidnapping in the first degree (RCW 9A.40.020);
- "(p) Kidnapping in the second degree (RCW 9A.40.030);
- "(q) Unlawful imprisonment (RCW 9A.40.040);
- "(r) Violation of the provisions of a restraining order restraining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care (RCW 26.09.300, 26.10.220, or 26.26.138);
- "(s) Violation of the provision of a protection order or no-contact order restraining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care (RCW 26.50.060, 26.50.070, 26.50.130, 10.99.040, or 10.99.050);
- "(t) Rape in the first degree (RCW 9A.44.040);
- "(u) Rape in the second degree (RCW 9A.44.050);
- "(v) Residential burglary (RCW 9A.52.025);
- "(w) Stalking (RCW 9A.46.110); and
- "(x) Interference with the reporting of domestic violence (RCW 9A.36.150)."

LCrRLJ 3.3
CONTINUANCE OF COURT DATES

A. The court on its own motion or motion of the defendant or the prosecuting attorney may continue scheduled court appearance in the interest of justice or as authorized in CrRLJ 3.3(h).

B. Upon agreement by both parties in writing, the Calendar Coordinator is authorized to continue a hearing without leave of court upon request of either party within two (2) weeks of the date of issuance of the notice for the hearing as long as speedy trial requirements are not violated.

C. Any other request for continuance shall require appearance in court by the party or attorney requesting the continuance, at a date and time to be scheduled by the Calendar Coordinator. Unless both the parties stipulate to the continuance request, the objecting party must be given notice of the hearing by the requesting party. Upon good cause being shown, the court may permit an Agreed Order of Continuance to be submitted by the attorney for either party.

D. The defendant must file a waiver of speedy trial if the continuance has the possibility of impairing the court's ability to schedule a trial within 60/90 days.

E. In computing any period of time herein, the court adopts CrRLJ 6(a), which by reference is made a part hereof.

LCrRLJ 3.4
AGREEMENT TO PROCEED BY VIDEO CONFERENCE

Whenever parties to a criminal proceeding agree that such proceedings may be conducted by video conference as is provided under CrRLJ 3.4(d)(2), such agreement shall be acknowledged either on the record or in writing by execution of a form substantially as is set forth herein as Uniform District Court Form No. 22.

{Adopted January 5, 2000}

LCrRLJ 3.7
PRETRIAL MOTIONS

- A. All pretrial motions shall be in writing and served upon the opposing counsel and filed with the court within 14 days after the pretrial hearing, unless good cause is shown for extending the time.
- B. Upon receipt of a pretrial motion, the Calendar Coordinator shall schedule a hearing on the motion prior to the date set for trial.
- C. Supporting briefs shall be filed and served on opposing counsel at the time the Pretrial Motion is filed. Responsive briefs are to be filed no later than 3 days prior to the hearing date.
- D. An extra copy of the motion and supporting or opposing briefs shall be filed as a working copy for the judge.
- E. All motions to suppress evidence other than the defendant's statements shall comply with the requirements of CrRLJ 3.6.

[Effective Date: 09/01/98]

LCrRLJ 4.5
PRETRIAL HEARINGS

- A. Following the sooner of arraignment or appearance by counsel, a pretrial hearing shall be scheduled by the Calendar Coordinator, unless the defendant has previously waived a jury trial, or as otherwise directed by the court.
- B. The office of the prosecutor shall provide discovery of all relevant police reports, witness statements, administrative agency reports, tests, and other documentary evidence in the possession of the Office of the Prosecutor, as soon as practical after arraignment

or appearance by counsel, but no later than one week before the date scheduled for pretrial hearing. This rule applies to pro se defendants as well as those represented by counsel.

C. Failure to provide timely discovery shall be grounds for continuance until discovery is provided.

D. Failure to provide timely discovery within the limits of CrRLJ 4.7(a)(2) may be grounds for dismissal of all charges.

E. Failure of counsel and defendant to appear for the pretrial hearing without good cause shall constitute a waiver of discovery required by these rules and grounds for continuance of any scheduled hearing or trial date. Terms may be imposed for failure to appear at a pretrial hearing.

Defendant's failure to appear at a pretrial hearing may be grounds for the issuance of a bench warrant.

[Effective Date: 01/07/87; Amended 09/01/98]

LCrRLJ 6.1.1
CRIMINAL JURY TRIAL

A. VOIR DIRE, Jury Instructions: Jury selection shall be by the struck jury method, unless otherwise ordered by the court. One original set of jury instructions without citation to Washington Pattern Jury Instructions or case law shall be submitted to the court along with one set with citations no later than the beginning of the trial. A copy of the set with citations shall be served upon opposing counsel at the same time jury instructions are filed with the court.

B. WITNESS, Present in Court: All witnesses to be called for a trial shall be excluded from the courtroom until they are called upon to testify, unless leave of the court is given for the person to remain. A person who has testified as a witness shall not remain in the courtroom following his or her testimony where there is a substantial likelihood that the person will be called again to testify in the same cause. Pursuant to ER 615, this rule does not authorize exclusion of (1) a party who is a natural person, or (2) an officer or employee of a party which is not a natural person designated as its representative by its attorney.

C. WAIVER of Jury Trial: A defendant may expressly waive his or her right to a jury trial at any time prior to a jury being impaneled. If the waiver occurs after the Confirmation Hearing, the court may order costs to be imposed. Once such a waiver has been made, a defendant has until the pretrial conference to change his or her mind and request a jury trial. However, if no pretrial is held in the case, a defendant has until thirty (30) days before the trial date to request the withdrawal of his or her waiver and the scheduling of a jury trial. Any motion for the withdrawal of a waiver of jury trial made after the appropriate time limit set by this rule shall be in writing and the court shall have discretion to grant or deny the motion.

D. CONFIRMATION of Jury Trial: The Calendar Coordinator will set all

cases where a jury has been requested for a Confirmation Hearing, prior to the date set for trial. At that time all parties are expected to verify readiness to proceed to trial, or to propose an alternate disposition. If a case settles after the Confirmation Hearing, the court may in its discretion order a party to pay any jury costs incurred as a result.

E. WITNESS, Subpoenas, Costs: Where prospective witnesses who will be compelled to appear by subpoena reside outside the boundaries of Thurston County, leave of the court to issue a subpoena shall be obtained; request for leave must be obtained from the court no later than ten (10) days prior to the date set for trial. If leave is not obtained or the request for leave is not timely made, then the party issuing the subpoena shall be responsible for all costs associated with the appearance of the person subject to the subpoena unless good cause is shown.

F. WITNESS LIST: Each party shall provide to the other party a list of prospective witnesses to be called at trial no later than two (2) weeks prior to the scheduled date of trial. The list shall include the name, address and telephone number of each prospective witness, excluding the defendant.

G. SUBPOENA, Issuance: Either party may issue subpoenas to compel attendance of a witness at trial in the same manner as set forth in CrRLJ 4.8.

[Effective Date: 01/07/87; Amended 09/01/91; Amended 06/27/94;
Amended 09/01/98]

LCrRLJ 7.2
Victim Impact Statement

If a Victim Impact Statement is to be provided to the court, it shall be filed by the State in a sealed envelope with the words "Victim Impact Statement - Confidential" clearly marked on the outside. Defense counsel, or defendant if pro se, shall be provided a copy of the Victim Impact Statement prior to sentencing.

The court will review the Victim Impact Statement at the time of sentencing, or at such earlier time as agreed by the parties.

LIRLJ 3.1(e)
PRE-HEARING MOTIONS IN INFRACTION CASES

REPEALED - September 1, 2006

(1) Notice of all pre-hearing motions in infraction cases shall be in writing and shall be served upon the opposing counsel and filed with the court not later than fourteen (14) days prior to the date scheduled for hearing unless good cause is shown.

(2) Unless otherwise noted for special hearing by the parties or at the direction of the Court, pre-hearing motions shall be heard on the date scheduled for hearing of the infraction immediately prior to commencement of the scheduled infraction hearing.

(3) All pre-hearing motions and supporting briefs shall be filed not later than fifteen (15) days prior to the date scheduled for hearing. All responsive briefs shall be filed not later than seven (7) days after service of the motion and supporting briefs. Failure to comply with the time frames set forth herein may be grounds for sanctions. Failure to timely file the motion may also result in the Court not hearing the motion or requiring the filing of a waiver of the right to speedy hearing.

(4) An original and bench copy of each pleading and supporting document shall be filed with the court.

Adopted June 26, 2002 [Effective September 1, 2002]

LIRLJ 3.5
DECISION ON WRITTEN STATEMENTS

Mitigation and contested hearings based on written statements, given under penalty of perjury as provided for in IRLJ 2.4(b)(4) and IRLJ 2.6(c), are authorized. This Court adopts the procedures authorized by IRLJ 3.5. To be considered by the Court, the Court must receive written statements(s) no later than seven (7) calendar days before the scheduled hearing. In accordance with the provisions of IRLJ 3.5, such hearings are not governed by the Rules of Evidence, and there shall be no appeal from a decision on written statement(s).

Adopted June 26, 2002 [Effective September 1, 2002]

LIRLJ 6.6
Speed Measuring Device - Infraction

A request to produce the electronic speed measuring device expert shall be contained in a document separate from the request for hearing and served on the prosecutor with a conformed copy filed with the court clerk. Such request must be filed in accordance with the time limitations set forth in IRLJ 6.6 (b)

The contents of this item are only available [on-line](#).

AGREEMENT TO PROCEED BY VIDEO CONFERENCE

The contents of this item are only available [on-line](#).

MOTION AND ORDER FOR PERMISSION TO CONDUCT DISCOVERY

The contents of this item are only available [on-line](#).

NOTE FOR CIVIL TRIAL SETTING

The contents of this item are only available [on-line](#).

PRE-TRIAL ORDER

The contents of this item are only available [on-line](#).

JUDGMENT FOLLOWING TRIAL

The contents of this item are only available [on-line](#).

OFFER OF JUDGMENT

The contents of this item are only available [on-line](#).

NOTICE TO FEDERAL GOVERNMENT GARNISHEE DEFENDANT

The contents of this item are only available [on-line](#).

AFFIDAVIT AND ORDER FOR WARRANT OF CONTEMPT OF COURT AND BENCH WARRANT

The contents of this item are only available [on-line](#).

VITAL STATISTIC INFORMATION

The contents of this item are only available [on-line](#).
